

REMARKS

This amendment responds to the office action dated July 3, 2006.

The Examiner rejected claims 1-14 under 35 U.S.C. § 112, first paragraph because the Examiner could not find support in the specification for the claim limitation “where said document is not provided using a private data provision of the MPEG-2 multiplexed data stream” recited respectively in claims 1, 6, and 11. The applicant, upon reviewing the claims, does not believe that this limitation is needed to distinguish over the cited prior art and has accordingly eliminated this limitation from the claims, thereby mooting the Examiner’s rejection.

The Examiner rejected claims 1-7, 9, and 10 under 35 U.S.C. § 102(e) as being anticipated by Srinivasan, U.S. Patent No. 6, 357,042. The applicant notes that this rejection had already been made in a previous office action dated July 26, 2002 by Examiner Pham and overcome by an amendment dated January 9, 2003. Specifically, the applicant amended the each of the independent claims to require that a *packetized* elementary stream include both a presentation time stamp (PTS) value and a document that includes a data structure *for receiving* the presentation time stamp value. Thus, in each of the independent claims the data structure in the packetized elementary stream must not yet contain the PTS, which is inserted into the structure after a receiver has received and de-packetized the elementary stream.

Srinivasan simply does not disclose this. Quite the opposite, Srinivasan discloses the association of a presentation time stamp value with its associated data using a multiplexer, which occurs prior to the data and the PTS being packetized. Thus, by reciting the portions of Srinivasan that merely disclose marking of a video frame or other input data with a PTS at a

multiplexer as reading on the insertion of the PTS into a “data structure”, the Examiner actually distinguishes the claim over Srinivasan because this step occurs before packetization; Srinivasan’s packetized elementary stream therefore lacks a data structure for receiving a PTS *and* the PTS to be later inserted.

Each of the independent claims has been amended to further highlight this distinction. Specifically, independent claim 1 as amended, recites the limitation of “a transmitter providing said document wherein said document includes a structure for receiving a first time stamp value associated with said video element in a packetized elementary stream, wherein the combination of said document and said structure for receiving said first time stamp value is provided in a packetized elementary stream together with an associated presentation time stamp value” and “a receiver inserting said presentation time stamp value into said structure.” Srinivasan fails to disclose either (1) concurrently transmitting in a packetized elementary stream a PTS and a data structure for receiving the PTS or (2) a receiver inserting the PTS into the data structure (Srinivasan, at best, merely discloses inserting it at the transmitter prior to packetization).

Independent claim 6, as amended, includes the limitations of “providing said document wherein said document includes a structure for receiving a first time stamp value” and “encoding in a packetized elementary stream a first data packet comprising a payload containing said document together with an associated presentation time stamp value located apart from said structure.” As stated earlier, at best, Srinivasan discloses a structure already including the PTS in the packetized stream.

Finally, independent claim 11 includes the limitations of “a document server for


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delivering said document wherein said document includes a structure for receiving a first time stamp value” and “said packet assembler for encoding in a packetized elementary stream a first data packet having, together with an associated presentation time stamp value not within said structure, a payload. . . ” Thus, claim 11 distinguishes over Srinivasan for the same reasons as does independent claim 6. The applicant therefore respectfully requests that the Examiner withdraw the rejection of claims 1-7, 9, and 10.

The Examiner rejected the remaining claims under 35 U.S.C. § 103(a) as being obvious over the respective combinations of Srinivasan with Harrison et al. U.S. Patent No. 6,064,420 (claim 8) and Srinivasan with Eyer, U.S. Patent No. 5,982,445 (claims 11-14). Each of these rejections relies upon the Examiner’s anticipation rejection of the independent claims from which the dependent claims respectively depend, and are therefore also overcome by the applicant’s amendments and remarks.

In view of the foregoing amendments and remarks, the applicant respectfully requests reconsideration and allowance of claims 1-14.

Respectfully submitted,



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